

City of Manhattan Beach

*1400 Highland Avenue
Manhattan Beach, CA 90266*



Meeting Minutes - Draft

Tuesday, September 19, 2017

6:00 PM

Regular Meeting

City Council Chambers

City Council Regular Meeting

*Mayor David J. Lesser
Mayor Pro Tem Amy Howorth
Councilmember Steve Napolitano
Councilmember Nancy Hersman
Councilmember Richard Montgomery*

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A. PLEDGE TO THE FLAG

Mayor Lesser led the Pledge of Allegiance.

B. ROLL CALL

Present: 5 - Mayor Lesser, Mayor Pro Tem Howorth, City Councilmember Napolitano, City Councilmember Hersman and City Councilmember Montgomery

C. CEREMONIAL CALENDAR

1. Presentation of Certificate of Recognition to the Manhattan Beach 10K Run on the Occasion of their 40th Anniversary. [17-0394](#)

PRESENT

Mayor Lesser provided a PowerPoint presentation regarding various contributions the Manhattan Beach 10K Run has provided to the community.

Mayor Lesser, on behalf of the City Council, presented a certificate of recognition to the Manhattan Beach 10K Run on the occasion of their 40th Anniversary.

Rachel Judson, Chairperson of the Race Committee, accepted the certificate and recognized members of the Race Committee.

D. APPROVAL OF AGENDA AND WAIVER OF FULL READING OF ORDINANCES

A motion was made by Councilmember Hersman, seconded by Councilmember Montgomery, to approve the agenda and waive full reading of ordinances. The motion carried by the following vote:

Aye: 5 - Lesser, Howorth, Napolitano, Hersman and Montgomery

E. CITY COUNCIL AND COMMUNITY ORGANIZATION ANNOUNCEMENTS OF UPCOMING EVENTS (1 MINUTE PER PERSON)

Mark Lipps, Manhattan Beach Chamber of Commerce, announced two workshops sponsored by the Chamber of Commerce: 1) A legal seminar titled, "You Don't Know What You Don't Know" on October 5, 2017, and 2) A workshop titled, "Content Beyond Words" on October 26, 2017.

Jan Buike, Older Adults Program Supervisor, announced an ongoing women's self defense seminar and on Saturday, September 23, 2017, a workshop titled, "Coffee, Technology and You" program.

Anne McIntosh, Community Development Director, reported that an information session on Telecommunications Planning and Facilities will be held on Tuesday, September 26, 2017, in the Police/Fire Community Room.

Martin Betz, Cultural Arts Manager, invited residents to attend a show at the Manhattan Beach Arts Center featuring Jose Lozano and also noted that on October 6, 2017, there will be a collaboration with the Manhattan Beach Library from 8-10 PM.

Nhung Madrid, Senior Management Analyst, noted a Mobility Plan Update Community Meeting on October 5, 2017, in the Police/Fire Community Room presenting an overview of the plan content.

Eve Irvine, Police Chief, provided information on the Pink Patch Project for Breast Cancer Awareness Month in October. She further added that the Manhattan Beach Police Department will be teaming up with the Soroptimist Club to put together bags for women undergoing chemotherapy.

Mayor Pro Tem Howorth reported on the Mira Costa High School Hall of Fame Event on Friday, September 22, 2017. She also encouraged everyone to be ready with disaster relief supplies.

Councilmember Montgomery announced that Senate Bill (SB) 649 will bypass cities completely regarding cell site locations and encouraged everyone to e-mail Sacramento to urge the importance of local control. He further reported an update on Vista Del Mar.

Mayor Lesser thanked Mayor Pro Tem Howorth for the reminder on disaster preparedness.

F. PUBLIC COMMENTS (3 MINUTES PER PERSON)

Mark Lipps, Manhattan Beach Chamber of Commerce, stated that the Hometown Fair deserves a 100% fee waiver.

Susan Adams spoke in support of the Hometown Fair fee waiver and wished a Happy Anniversary to the 40th 10K Run.

Peter Yollin supported the Hometown Fair fee waiver.

Craig Cadwallader supported the Hometown Fair fee waiver.

Bill Victor asked for "unsanitized" police reports, spoke of seeing people smoking, requested that phone calls be returned, inquired about the City Manager's and City Attorney's reviews, and stated that "there is too much government."

Community Development Director Anne McIntosh introduced new Environmental Programs Manager Dana Murray.

A motion was made by Councilmember Napolitano, seconded by Councilmember Montgomery, to reconsider approval of the agenda. The motion carried by the following vote:

Aye: 5 - Lesser, Howorth, Napolitano, Hersman and Montgomery

A motion was made by Councilmember Napolitano, seconded by Councilmember Montgomery, to rearrange the agenda and hear Item No. 17, Request by Councilmember Montgomery to discuss the Hometown Fair Special Event Fee Waiver before the Consent Calendar. The motion carried by the following vote:

Aye: 5 - Lesser, Howorth, Napolitano, Hersman and Montgomery

17. Request by City Councilmember Montgomery to Discuss the Hometown Fair Special Event Fee Waiver (Parks and Recreation Director Leyman). [17-0396](#)
DISCUSS AND PROVIDE DIRECTION

This item was taken out of order.

Councilmember Montgomery presented a brief overview of the item.

Mayor Lesser opened the floor to public comment.

Bea Zimbalist, President of the Hometown Fair, would like to return to the 100% fee waiver.

Seeing no further request to speak, Mayor Lesser closed the floor to public comment.

A motion was made by Councilmember Napolitano, seconded by Councilmember Montgomery, to waive the fees 100% for the Manhattan Beach Hometown Fair. The motion carried by the following vote:

Aye: 5 - Lesser, Howorth, Napolitano, Hersman and Montgomery

G. CONSENT CALENDAR (APPROVE)

A motion was made by Mayor Pro Tem Howorth, seconded by Councilmember Hersman, to approve the Consent Calendar Item Nos. 2-10 except No. 5, Agreement with the Beach Cities Health District to Provide Senior Care Management Services in the Amount of \$186,575 Over a Five-Year Period. The motion carried by the following vote:

Aye: 5 - Lesser, Howorth, Napolitano, Hersman and Montgomery

2. City Council Minutes: [17-0395](#)
This Item Contains Minutes of the Following City Council Meeting(s):
a) City Council Adjourned Regular Meeting Minutes (Closed Session) of September 5, 2017
b) City Council Regular Meeting Minutes of September 5, 2017 (City Clerk Tamura).
APPROVE

The recommendation for this item was approved on the Consent Calendar.

3. Financial Report: [17-0341](#)
Schedules of Demands: August 17, 2017 (Finance Director Moe).
ACCEPT REPORT AND DEMANDS

The recommendation for this item was approved on the Consent Calendar.

4. Resolution No. 17-0113 Awarding RFP No. 1125-17 to InfoSend, Inc. for a Three-Year Contract for Electronic Bill Presentment and Payment Services with an Estimated Total Value of \$92,000 (Finance Director Moe). [RES 17-0113](#)

ADOPT RESOLUTION NO. 17-0113

The recommendation for this item was approved on the Consent Calendar.

5. Agreement with the Beach Cities Health District to Provide Senior Care Management Services in the Amount of \$186,575 Over a Five-Year Period (Parks and Recreation Director Leyman). [RES 17-0120](#)

ADOPT RESOLUTION NO. 17-0120

This item was removed from the Consent Calendar and heard in Section H. Items Pulled from the Consent Calendar.

6. Resolution Accepting the State of California Office of Traffic Safety Selective Enforcement Traffic Enforcement Program (STEP) Grant in the Amount of \$200,000 (Police Chief Irvine). [RES 17-0117](#)

ADOPT RESOLUTION NO. 17-0117 AND APPROPRIATE FUNDS

The recommendation for this item was approved on the Consent Calendar.

7. Resolution Accepting the Beach Cities Health District for a Three-Year Grant to Fund Paramedic Continuing Education and Medical Supplies (Fire Chief Espinosa). [RES 17-0122](#)

ADOPT RESOLUTION NO. 17-0122

The recommendation for this item was approved on the Consent Calendar.

8. Accept as Complete the Pier Comfort Station Tile Mural and Sea Wall Tile Project Constructed by Dekan Construction Corporation; Authorize Filing a Notice of Completion with the County Recorder; and Release the Retention in the Amount of \$1,215.92 (Public Works Director Katsouleas). [17-0333](#)

APPROVE

The recommendation for this item was approved on the Consent Calendar.

9. Resolution Awarding a Construction Contract to CERCO Inc. (dba CERCO Engineering) for the Parking Lot 1 Retaining Wall Project for \$118,895.00 (Public Works Director Katsouleas). [RES 17-0116](#)

ADOPT RESOLUTION NO. 17-0116

The recommendation for this item was approved on the Consent Calendar.

10. Resolution Approving a Three-Year Contract with Comparex for Microsoft Enterprise Software Licensing with an Estimate Total Value \$222,000 and Waiving Formal Bid Requirements Pursuant to Manhattan Beach Municipal Code Section 2.36.150 (Information Technology Director Taylor). [RES 17-0107](#)
ADOPT RESOLUTION NO. 17-0107

The recommendation for this item was approved on the Consent Calendar.

H. ITEMS PULLED FROM THE CONSENT CALENDAR

5. Agreement with the Beach Cities Health District to Provide Senior Care Management Services in the Amount of \$186,575 Over a Five-Year Period (Parks and Recreation Director Leyman). [RES 17-0120](#)
ADOPT RESOLUTION NO. 17-0120

Beach Cities Health District Director of Lifespan Services Kerianne Lawson responded to City Council questions.

Mayor Lesser opened the floor to public comment.

Seeing no requests to speak, Mayor Lesser closed the floor to public comment.

A motion was made by Councilmember Montgomery, seconded by Councilmember Hersman, to adopt Resolution No. 17-0120 and authorizing the City Manager to execute the agreement with the Beach Cities Health District to Provide Senior Care Management Services in the amount of \$186,575 over a five-year period. The motion carried by the following vote:

Aye: 5 - Lesser, Howorth, Napolitano, Hersman and Montgomery

I. PUBLIC HEARINGS

11. Public Hearing to Consider Extending Urgency Ordinance No. 17-0015-U Prohibiting the Establishment of New Health Care Facilities on Sepulveda Boulevard for a Period of 10 Months and 15 Days; and Consider Applying the Temporary Prohibition to Other Uses on Sepulveda Boulevard (Community Development Director McIntosh).
CONDUCT PUBLIC HEARING AND ADOPT ORDINANCE NO. 17-0020-U EXTENDING THE URGENCY ORDINANCE FOR A PERIOD OF 10 MONTHS AND 15 DAYS

[ORD
17-0020-U](#)

Mayor Lesser opened the public hearing.

Community Development Director Anne McIntosh introduced Planning Manager Laurie Jester who provided the Staff presentation.

Planning Manager Jester responded to City Council questions.

Mayor Lesser opened the floor to public comment.

Phillip Kroskin, Senior Vice President of Real Estate for Sunrise Senior Living, stated that he is not in favor of the moratorium and the facility he represents would like the opportunity to present a project proposal on Sepulveda Boulevard.

Mike Grannis, Commercial Real Estate Broker with Highland Partners, stated that a moratorium will decrease investment opportunities on Sepulveda and cause Sepulveda to continue to deteriorate.

Carol Glover, Real Estate Attorney, voiced surprise by this ordinance and stated that this is being done in a "piecemeal fashion."

Jeffrey Widman hoped to open a spa on Sepulveda Boulevard, but feared the moratorium would stop him from doing so.

Bill Victor spoke against the moratorium.

Phillip Cook, Treasurer of the Manhattan Beach Commercial Property Association, noted that the City supports Beach Cities Health District (BCHD) but that the City does not seem to support other facilities in the City's backyard. He further added that he is not in favor of the moratorium.

Seeing no further requests to speak, Mayor Lesser closed the public hearing.

A motion was made by Councilmember Hersman, seconded by Councilmember Montgomery, to amend the urgency ordinance to require a use permit prior to the establishment of any new Health Care Facilities on Sepulveda Boulevard. The motion carried by the following vote:

Aye: 5 - Lesser, Howorth, Napolitano, Hersman and Montgomery

At 7:54 PM City Council recessed and reconvened at 8:06 PM with all Councilmembers present.

City Attorney Quinn Barrow clarified and read into the record the title of the Ordinance as amended: An Interim Ordinance of the City of Manhattan Beach extending and amending Interim Ordinance No. 17-0015-U prohibiting the establishment of New Health Care Facilities on Sepulveda Boulevard without a Use Permit and declaring the urgency thereof.

A motion was made by Councilmember Hersman, seconded by Councilmember Montgomery to approve the amended Ordinance as read by City Attorney Quinn Barrow. The motion carried by the following vote:

Aye: 5 - Lesser, Howorth, Napolitano, Hersman and Montgomery

- 12.** Public Hearing to Consider a Resolution Authorizing the Allocation of Community Development Block Grant (CDBG) Funds for Fiscal Year 2017/2018 (Public Works Director Katsouleas).

[RES 17-0108](#)

CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION NO. 17-0108

Mayor Lesser opened the public hearing

Public Works Director Stephanie Katsouleas introduced City Engineer Prem Kumar who provided the Staff presentation.

City Engineer Kumar responded to City Council questions.

Mayor Lesser opened the floor to public comment.

Seeing no requests to speak, Mayor Lesser closed the public hearing.

A motion was made by Councilmember Napolitano, seconded by Councilmember Hersman, to adopt Resolution No. 17-0108 authorizing the allocation of Community Development Block Grant (CDBG) Funds for Fiscal Year 2017-2018. The motion carried by the following vote:

Aye: 5 - Lesser, Howorth, Napolitano, Hersman and Montgomery

J. GENERAL BUSINESS

13. Shade Hotel Appeal of Transient Occupancy Tax Audit Findings (Finance Director Moe). [17-0299](#)

CONDUCT APPEAL HEARING

City Manager Mark Danaj stated that the Appellant requested to continue the item to a future meeting due to business travel.

By order of the Chair, the item was continued.

14. Sepulveda Corridor Planning Initiatives (Community Development Director McIntosh). [17-0107](#)

DISCUSS AND PROVIDE DIRECTION

Community Development Director Anne McIntosh provided a brief overview of the item.

Community Development Director McIntosh responded to City Council questions.

Mayor Lesser opened the floor to public comment.

Carol Glover suggested using the talented people of the community to contribute to the project through an ad hoc committee.

Mark Lipps, Chamber of Commerce, expressed the idea of creating a BID (Business Improvement District) for Sepulveda and volunteered the Chamber of Commerce to assist.

Jan Dennis discussed the historical background of Sepulveda Boulevard and noted that she just finished writing a book regarding the history of Sepulveda. Thereafter, she provided a copy of her new book to all the City Council and also volunteered to assist.

Seeing no further requests to speak, Mayor Lesser closed the floor to public comment.

A motion was made by Councilmember Napolitano, seconded by Mayor Lesser, to proceed as Staff recommended* and include an Ad Hoc Committee with the composition of the committee to be determined (suggested outreach to the community) and return to the City Council with recommendations. A friendly amendment, accepted by the maker, to direct staff to return to City Council with alternative structures of the Ad Hoc Committee with and without councilmembers and opportunities for allowing members of the public to participate. The motion carried by the following vote:

Aye: 5 - Lesser, Howorth, Napolitano, Hersman and Montgomery

**Staff recommendations on the Staff Report listed: 1) Initiate a zone text amendment to: a) Add incentives for the redevelopment of "opportunity sites" for hotels or mixed use developments; b) Possibly limit (but don't prohibit) new office uses using a cap, or a locational requirement, or allowing only in a mixed use project; c) Update commercial parking requirements; and 2) Amend the Sepulveda Boulevard Development Guide to include standards for addressing the commercial/residential interface on east/west streets, and at the rear of the commercial properties; and 3) Consider appointing an Ad Hoc Committee to work with staff and guide policy alternatives.*

15. Public Art Trust Fund Update and Request to Allocate \$168,000 Towards [17-0364](#)
Public Art Projects (Parks and Recreation Director Leyman).
DISCUSS AND PROVIDE DIRECTION

Parks and Recreation Director Mark Leyman introduced Cultural Arts Manager Martin Betz who provided the Staff presentation.

Cultural Arts Manager Betz responded to City Council questions.

Mayor Lesser opened the floor to public comment.

Craig Cadwallader stated that the Utility Box Art in Hermosa Beach was done by Leadership Hermosa.

Mark Lipps suggested bringing art to the North End and also to East Manhattan.

Seeing no further requests to speak, Mayor Lesser closed the floor to public comment.

A motion was made by Councilmember Napolitano, seconded by Councilmember Montgomery, to approve the allocations of funds from the Public Art Trust Fund toward the following Public Art Projects: 1) Sculpture Garden 2) Public Art Conservation (to be completed with available staff or volunteers and extra funds put towards restoration needs) 3) Utility Box Local Artist Competition 4) Cultural Arts Trust Fund Allocation (increase allocation from \$45,000 to \$50,000) 5) Develop an exhibition for City Hall of the works of A.C. Conner 6) Return to the City Council with a mural program that celebrates the culture and character of Manhattan Beach for up to \$150,000. A friendly amendment, accepted by the maker, to request the right to purchase the Art from the Sculpture Garden. The motion carried by the following vote:

Aye: 5 - Lesser, Howorth, Napolitano, Hersman and Montgomery

K. CITY COUNCIL REPORTS AND COMMITTEE REPORTS INCLUDING AB 1234 REPORTS

16. Discuss City's Mission Statement and Provide Direction (Continued from the September 5, 2017 City Council Regular Meeting) and Discuss Next Steps Regarding City Strategic Plan (Assistant City Manager Nader). [17-0378](#)
DISCUSS AND PROVIDE DIRECTION

Management Analyst Kendra Davis provided a brief overview of the item.

Mayor Lesser opened the floor to public comment.

Seeing no requests to speak, Mayor Lesser closed the floor to public comment.

A motion was made by Councilmember Montgomery, seconded by Councilmember Napolitano, to adopt the mission statement: "Our mission is to provide excellent municipal services, preserve our small beach town character and enhance the quality of life for our residents, businesses and visitors." The motion carried by the following vote:

Aye: 5 - Lesser, Howorth, Napolitano, Hersman and Montgomery

By order of the Chair, bring back the objectives of the Strategic Plan for discussion at a future City Council Meeting.

Mayor Lesser, Mayor Pro Tem Howorth, Councilmember Napolitano, Councilmember Hersman and Councilmember Montgomery attended the League of California Cities Conference and reported on their experiences and some of the sessions they attended.

Councilmember Montgomery also attended the California Coastal Commission Meeting.

17. Request by City Councilmember Montgomery to Discuss the Hometown Fair Special Event Fee Waiver (Parks and Recreation Director Leyman). [17-0396](#)
DISCUSS AND PROVIDE DIRECTION

This item was taken out of order and was heard immediately after Section F. Public Comments.

L. FUTURE AGENDA ITEMS

Mayor Lesser inquired about the different environmental initiatives and asked when they would be returning to City Council.

City Manager Mark Danaj responded that the Environmental Work Plan is scheduled for the November 8, 2017, City Council Meeting.

Mayor Pro Tem Howorth requested a future discussion on the design of a new City Pin and all other Councilmembers concurred.

M. CITY MANAGER REPORT

City Manager Mark Danaj reported that the California Coastal Commission unanimously approved the Harrison Greenberg Roundhouse Beautification Project.

N. CITY ATTORNEY REPORT

None.

O. INFORMATIONAL ITEMS

None.

P. CLOSED SESSION

None.

Q. ADJOURNMENT

At 10:03 PM the City Council adjourned the meeting in memory of the City of El Segundo's former Mayor and Councilmember Kelly McDowell.

George Gabriel
Recording Secretary

David Lesser
Mayor

ATTEST:

Liza Tamura
City Clerk